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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LI LI, Plaintiff, v. MICHAEL CHERTOFF, Secretary, Department of Homeland Security; EMILIO T. GONZALEZ, Director, United States Citizenship and Immigration Services; ROBERT S. MUELLER, III, Director, Federal Bureau of Investigation; and CHRISTINA POULOS, Director, California Service Center, United States Citizenship and Immigration Services, Defendants.	Case No. 07cv2200 J (JMA) NOTICE OF MOTION AND MOTION TO DISMISS OR ALTERNATIVELY TO REMAND TO UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES DATE: May 12, 2008 TIME: 8:30 a.m. CTRM: 12 Honorable Napoleon A. Jones (No Oral Argument Required)

TO: PLAINTIFF LI LI

PLEASE TAKE NOTICE that on May 12, 2008, at 8:30 a.m., or as soon thereafter as counsel may be heard, in the courtroom of the Honorable Napoleon A. Jones, Defendants Michael Chertoff, et al., through their attorneys of record, Karen P. Hewitt, United States Attorney and Caroline J. Clark, Assistant U.S. Attorney, will bring arguments on their Motion to Dismiss pursuant to Rules 12(b)(1) and 12(b)(6), Federal Rules of Civil Procedure, or Alternatively to Remand to U.S. Citizenship and

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Immigration Services. The motion is based upon the files and records of this case and the attached memorandum of points and authorities.

DATED: February 8, 2008

Respectfully submitted,

KAREN P. HEWITT
United States Attorney

s/ Caroline J. Clark

CAROLINE J. CLARK
Assistant U.S. Attorney

Attorneys for Defendants